

PRELIMINARY AMENDMENT

I. INTRODUCTORY COMMENTS

This is a preliminary amendment to the above-identified application, which is a continuation of reissue application 10/113,138 (“the ‘138 application”), filed March 27, 2002. The ‘138 application is for reissue of U.S. Patent No. 6,042,124 (“the ‘124 patent”) issued on March 28, 2000, and entitled “In-Line Skate Having One Piece Chassis and Wheel Spacers”. A copy of the ‘833 patent will be used as the basis for reference to the drawings and specification.¹ The ‘138 reissue application was filed on March 27, 2002, and thus the scope of its claims may be enlarged in comparison to the scope of the claims in the ‘124 patent, as permitted under 35 U.S.C. § 251 (1952). Also, the ‘138 application was filed with claims that were broader than the broadest claims in the ‘124 patent. Thus, the scope of the claims in the present continuation application may also be enlarged in comparison to the scope of the claims in the ‘124 patent.

II. STATUS OF THE CLAIMS

Claims 1-13 are claims from the original ‘124 patent and claims 14-37 were added in the ‘138 reissue application. Claims 2-37 are canceled prior to fee calculation. Applicant hereby cancels claim 1 and

¹ For convenience, citation to the specification will be made to the specification as formatted in the ‘124 patent, by column and line number. Thus, 1:55-2:3 refers to column 1, line 55 through column 2, line 3 of the ‘124 patent.

adds new claims 38-43 in this preliminary amendment to the present application.

In the co-pending parent '138 reissue application, Applicants are maintaining originally filed claims 1-37 and subsequently added claims 38-42, for the purpose of obtaining issuance of these claims. Claims 38-42 in parent reissue application are different from the claims 38-43 added herein in the present application.

By the present continuation application, Applicants seek to obtain patent protection for in-line skates that have metal frames, and in which those frames have holes for accommodating axles for the skate wheels, and spacers formed in the frames around the holes such that the exterior sides of the frames adjacent the holes are countersunk and that the interior sides of the frames adjacent the holes project outward in the shape of truncated cones to form the spacers.

Applicants emphasize that the present claims are directed to features heretofore not found in any in-line skate, i.e., spaces integral with the metal chassis and that are formed by countersinking metal that surrounds hole formed in the chassis for the wheel axles, and a countersunk region on the opposite side of the chassis that accommodates a flat head screw or axle. Support for these features is found, for example at 3:65-4:16.